

**DIRECTIVE NUMBER 300-02-15**

**DATE:** March 27, 2015

**TO:** All Kansas Department of Labor Employees

**FROM:** Lana Gordon, Secretary of Labor

**SUBJECT:** Infant-at-Work Program

1. **Purpose.** To inform employees of the KDOL Infant-at-Work Program.
2. **Policy.** The following policy guidelines shall apply to the Infant-at-Work Program:
  - a. **Eligibility**
    1. *Parents.* Kansas Department of Labor full-time employees who are new mothers or fathers are eligible to participate in the Program.
    2. *Infants.* Natural or adopted infants of Kansas Department of Labor full-time employees are eligible through their first 180 days after birth.
    3. The Infant-at-Work program is offered as a courtesy to KDOL employees. There may be some work environments or circumstances that are not conducive to successfully utilizing this program.
  - b. **Location in the Workplace**
    1. *Work Station.* Each parent shall make his or her workstation suitable for the new infant. The new infant shall be located primarily at the parent's workstation during the workday. Each parent will provide the necessary furniture and equipment suitable for the infant's needs.
    2. *Sitting Room.* In the event an infant becomes fussy, the parent shall take the infant to a designated sitting room until the infant becomes quieter.
    3. *Home.* In the event an infant becomes sick, or is fussy for a prolonged period of time, causing a distraction in the workplace or preventing the parent from accomplishing work, the parent will take the infant home or to a backup day care provider and will use accumulated leave for any resulting absences from work.
    4. A sick infant shall not be brought to work. The Center for Disease Controls *Recommendation for Inclusion or Exclusion* of children from out-of-home child care settings are attached hereto as **Attachment A** and are hereby adopted by the Kansas Department of Labor as a means for determining whether an infant is sick.
    5. Employees are reminded that infants are not allowed as passengers in state vehicles.
  - c. **Alternative Care Provider**
    1. Each parent shall designate two alternative care providers in the workplace. The alternative care providers will be employees in the same division who voluntarily agree to care for the infant in the event the parent is unavailable due to attendance at a meeting, participating in a telephone conference call, or a similar work responsibility. The alternative care

provider may not simultaneously participate in the program as a parent bringing his or her infant to work and as an alternative care provider for another parent's child.

2. Each alternative care provider must seek approval from his/her immediate supervisor and acknowledge that he or she has agreed to serve in that role by signing an *Alternative Care Provider Agreement* setting forth the alternative care provider's duties and responsibilities. An *Alternative Care Provider Agreement* form is attached hereto as **Attachment B**.
3. If a parent is unable to care for the infant due to attendance at a meeting, participation in a telephone conference call or a similar work responsibility, the parent will notify an alternative care provider and place the infant in the provider's care temporarily.
4. If the parent is going to be unavailable for a period exceeding 1.5 hours within a 4-hour period, the parent shall make arrangements for the infant's care *outside* the Department. An alternative care provider in the workplace shall not be required to care for an infant for a period exceeding 1.5 hours within a 4-hour period.

d. **Individual Care Plan**

1. Each participating parent must complete and sign an *Individual Care Plan* setting forth an individualized care plan for the infant, which must be submitted to the parent's division director for review and approval. The *Individual Care Plan* shall include 1) days and times the infant will be present in the workplace; 2) names and schedules of the parents alternative care providers; 3) date the parent will begin the Program; and 4) tentative date the parent will end the Program. An *Individual Care Plan* form is attached hereto as **Attachment C**.
2. Upon approval of an *Individual Care Plan* by the parent's division director, the plan shall be submitted to the Deputy Secretary for final approval. Upon receiving final approval, the parent may bring the infant to the workplace on the beginning date stated in the *Individual Care Plan*.
3. The supervisor's role is to work with participating employees to facilitate the program's successfulness.
4. The parent and his or her division director shall meet to discuss and resolve any complaints made regarding the infant's presence in the workplace. Subject to approval of the revised *Individual Care Plan* by the Deputy Secretary, the *Individual Care Plan* may be modified by agreement of the parent and the division director as needed.

e. **Complaints**

1. Any complaints regarding a Program participant shall be made in writing, signed by the person(s) making the complaint, and submitted to the parent's division director.
2. Any properly submitted complaint shall be reviewed by the division director and discussed with the person(s) making the complaint. The division director shall provide a copy of the complaint to the parent and discuss it with the parent, determining how to resolve the complaint.

3. If the parent is required to take action to resolve the complaint, the parent shall modify his or her *Individual Care Plan* to include the steps to be taken to resolve the complaint. The modified *Individual Care Plan* shall be resubmitted for approval.
- f. **Grievance Procedures**
1. Any complaints regarding a Program participant that cannot be resolved shall be referred to the Deputy Secretary who shall review the complaint and may interview the person(s) making the complaint, the parent and the parent's division. After consulting with the appropriate Division Director and the Secretary, The Deputy Secretary shall make a final ruling on the complaint.
  2. There is no right to further review or appeal of the final ruling.
- g. **Termination of Eligibility**
1. A parent's eligibility to participate in the Program will be terminated when:
    - a. The infant becomes 180 days old;
    - b. The parent is no longer employed in a full-time position with the Kansas Department of Labor; or
    - c. A final ruling is made pursuant to the Grievance Procedures, set forth in Sub-section f, terminating the eligibility of a parent.
  2. If the parent's eligibility is terminated pursuant to Section g(i)(c) the parent shall be notified in writing of the final ruling by the Deputy Secretary and the parent shall remove the infant from the workplace within one week from receiving such notice.
  3. The Kansas Department of Labor reserves the right to terminate a participant's eligibility, with or without cause, or to cancel or retire the Program in part or in its entirety, with or without cause, requiring the parent to remove his or her infant from the workplace immediately.

[Infant at Work Program: Agreement \(K-MGT 7300\)](#)

[CDC Recommendation for Inclusion or Exclusion, Attachment A \(K-MGT 7301\)](#)

[Alternative Care Provider Agreement, Attachment B \(K-MGT 7302\)](#)

[Individual Care Plan, Attachment C \(K-MGT 7303\)](#)

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Lana Gordon, Secretary of Labor

*Signature on file*

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